

STATE OF HAWAII

PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of )  
 UNIVERSITY OF HAWAII )  
 PROFESSIONAL ASSEMBLY, )  
 Complainant, )  
 and )  
 BOARD OF REGENTS, UNIVERSITY )  
 OF HAWAII, )  
 Respondent. )

Case No. CE-07-44

Order No. 191

ORDER ALLOWING AMENDMENT OF COMPLAINT AND DENYING MOTION FOR PARTICULARIZATION

On May 22, 1978, Complainant University of Hawaii Professional Assembly filed with this Board a prohibited practice charge against Respondent. On May 31, 1978, Respondent filed a Motion for Particularization of the Complaint.

Said motion is hereby denied for the reason that on May 26, 1978, there was filed with this Board an intervening amendment to the prohibited practice charge which satisfies the particularization requested by the Respondent.

In accordance with Section 377-9, HRS, and Board Rule 3.03, the Board allows the May 26, 1978 amendment of the complaint submitted by the Complainant. A copy of said amendment is attached hereto.

In view of the foregoing, the Respondent's answer is due no later than 4:30 p.m., Wednesday, June 14, 1978.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

*Mack H. Hamada*  
Mack H. Hamada, Chairman

*James K. Clark*  
James K. Clark, Board Member

*John E. Milligan*  
John E. Milligan, Board Member

Dated: June 2, 1978  
Honolulu, Hawaii

Of Counsel:  
BOUSLOG & SYMONDS

HERBERT TAKAHASHI 1011-0  
63 Merchant Street  
Honolulu, Hawaii 96813  
Tel. No. 536-3686

Attorney for University of Hawaii  
Professional Assembly

HAWAII PUBLIC  
EMPLOYMENT  
RELATIONS BOARD

78 MAY 26 PM 2:44

PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF HAWAII

UNIVERSITY OF HAWAII	)	CASE NO. CE-07-44
PROFESSIONAL ASSEMBLY,	)	
Complainant,	)	AMENDMENT TO PROHIBITED PRACTICE
	)	CHARGE
v.	)	
BOARD OF REGENTS, UNIVERSITY	)	
OF HAWAII,	)	
Respondent.	)	

AMENDMENT TO PROHIBITED PRACTICE CHARGE

The charge filed by the Assembly on May 22, 1978 states in pertinent parts:

"Respondent has refused to negotiate in good faith the question of back pay for those faculty members terminated by reason of the implementation of Appendix G. The Assembly agrees that back pay is not negotiable. However, the Assembly believes that back pay is an appropriate relief to be awarded by the Board."

Complainant hereby wishes to amend said portions of the Complaint as follows:

a) Respondent has refused to negotiate in good faith the question of back pay for all faculty members terminated by reason of the implementation of Appendix G.

b) The Assembly has made repeated requests for back pay in good faith to the Respondent.

c) The Assembly believes that back pay is and continues to be a negotiable item if this Board chooses not to provide relief in the form of back pay to those faculty members whose reinstatements have been refused because of the Respondent's implementation of Appendix G.

d) The Assembly believes back pay should be an appropriate award by the Board as a form of relief to those whose reinstatements have been refused because of the continued implementation of Appendix G by the Respondent. If the Board should not award such relief, the Respondent's should then be ordered to negotiate back pay.

DATED: Honolulu, Hawaii, May 24, 1978.

BOUSLOG & SYMONDS  
Of Counsel

  
HERBERT TAKAHASHI  
Attorney for  
Assembly